

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 89](#)

**TITLE:** Veterinary Prescription Disclosure

**SPONSOR(S):** Brackett

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Industries & Professional Activities](#)

11 Y, 0 N, As CS



[Commerce](#)

## SUMMARY

### **Effect of the Bill:**

The bill requires licensed veterinarians to inform their clients of their right to receive a written prescription for medication before dispensing it. The veterinarian or an authorized staff member is required to provide such clients with the option to either have the prescription filled at the veterinary establishment or obtain a written prescription to be filled at a pharmacy of the client's choice. This disclosure must be made verbally during in-person consultations or electronically during veterinary telehealth consultations, and must be documented in the patient's medical record.

The bill provides an exception when immediate dispensing of medication is necessary to preserve life or prevent suffering, or if the prescription is for a controlled substance that is restricted by federal or state law.

### **Fiscal or Economic Impact:**

The bill may have an indeterminate positive fiscal impact on veterinary clients.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill requires:

- Licensed [veterinarians](#) to clearly inform their clients of their right to receive a [written prescription](#) before the veterinarian dispenses a prescription medication.
- Licensed veterinarians, or authorized veterinary staff, to provide the client with the option to have the prescription filled at the veterinary establishment or to obtain a written prescription that may be filled at a pharmacy of the client's choice. (Section [1](#))

The bill requires each such disclosure to be made:

- Verbally, if the consultation with the client is in person; or
- Electronically, if the consultation with the client is through [veterinary telehealth](#). (Section [1](#))

The bill requires that the option chosen by the client (verbal or electronic) to be documented in the patient's [medical record](#). (Section [1](#))

The requirements of the bill do not apply if:

- Immediate dispensing of medication is necessary to preserve life or prevent suffering; or
- The prescription is for a [controlled substance](#), the dispensing of which is restricted by federal or state law. (Section [1](#))

The effective date of the bill is July 1, 2026. (Section [2](#))

**STORAGE NAME:** h0089b.COM

**DATE:** 12/4/2025

**FISCAL OR ECONOMIC IMPACT:****PRIVATE SECTOR:**

The bill may increase access and provide additional options for obtaining necessary medications for animal owners, and may reduce the price for such medications.

**RELEVANT INFORMATION****SUBJECT OVERVIEW:****Practice of Veterinary Medicine**

The Board of Veterinary Medicine (Board) within the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., relating to veterinary medical practice (practice act). The purpose of the practice act is to ensure that every veterinarian practicing in this state meets minimum requirements for safe practices to protect public health and safety.<sup>1</sup>

A “[veterinarian](#)” is a health care practitioner licensed by the Board to engage in the practice of veterinary medicine in Florida.<sup>2</sup> Veterinarians are subject to disciplinary action from the Board for various violations of the practice act.<sup>3</sup> Veterinary establishments are required to have a premises permit issued by DBPR.<sup>4</sup> Veterinarian licenses are renewed every two years,<sup>5</sup> however premises permits have no expiration date.

Veterinary medicine includes, with respect to animals:<sup>6</sup>

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine); and
- Other branches or specialties of veterinary medicine.

The “practice of veterinary medicine” is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.<sup>7</sup>

The practice act defines a “patient” as any animal for which the veterinarian practices veterinary medicine.<sup>8</sup>

The practice act defines a “veterinarian/client/patient relationship” (VCPR) as one in which a veterinarian has assumed responsibility for making medical judgments regarding the health of an animal and its need for medical treatment.<sup>9</sup>

<sup>1</sup> S. [474.201, F.S.](#)

<sup>2</sup> S. [474.202\(1\), F.S.](#)

<sup>3</sup> Ss. [474.213](#) & [474.214, F.S.](#)

<sup>4</sup> S. [474.215\(1\), F.S.](#)

<sup>5</sup> S. [474.211, F.S.](#)

<sup>6</sup> See s. [474.202\(13\), F.S.](#) Section [474.202\(1\), F.S.](#), defines “animal” as “any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead.”

<sup>7</sup> See s. [474.202\(9\), F.S.](#) Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals.

<sup>8</sup> S. [474.202\(8\), F.S.](#)

<sup>9</sup> S. [474.202\(12\), F.S.](#)

## Prescription Authority

Veterinarians are authorized to prescribe drugs in the course of veterinary practice, but may be disciplined by the Board for certain related violations, including for ordering, prescribing, or making available medicinal drugs<sup>10</sup> or controlled substances<sup>11</sup> for use other than for the specific treatment of animal patients for which there is a documented VCPR.<sup>12</sup>

The practice act also makes the following prescription related violations grounds for disciplinary action:

- Performing or prescribing unnecessary or unauthorized treatment;<sup>13</sup>
- Providing, prescribing, ordering, or making available for human use medicinal drugs or drugs as defined in chapter 465, F.S., controlled substances as defined in chapter 893, F.S., or any material, chemical, or substance used exclusively for animal treatment;<sup>14</sup>
- Prescribing or dispensing a legend drug as defined in chapter 499, F.S., including any controlled substance, inappropriately or in excessive or inappropriate quantities;<sup>15</sup>
- Presigning blank prescription forms; or<sup>16</sup>
- Failing to maintain accurate records or reports as required by [chapter 474, F.S.] or by federal or state laws or rules pertaining to the storing, labeling, selling, dispensing, prescribing, and administering of controlled substances.<sup>17</sup>

**Veterinarians are required to give the owner of a patient, before dispensing any drug, a written prescription when requested.**<sup>18</sup>

According to the American Veterinary Medical Association, “many states require that a prescription be provided **upon client request**, and the majority of states prohibit veterinarians from prescribing animal medications outside of a VCPR. Clearly written prescriptions help prevent misunderstandings and misinterpretations that can harm patient health.”<sup>19</sup>

## Controlled Substances

The federal Controlled Substances Act (CSA)<sup>20</sup> specifically prohibits practitioners (physicians, dentists, veterinarians, and certain researchers)<sup>21</sup> from prescribing controlled substances via the Internet without an in-person evaluation, but the Ryan Haight Online Pharmacy Consumer Protection Act (Haight Act),<sup>22</sup> signed into law in October 2008<sup>23</sup> created a pathway for telehealth practitioners to dispense controlled substances via telehealth.

<sup>10</sup> [S. 465.003\(15\), F.S.](#)

<sup>11</sup> [S. 893.02\(4\), F.S.](#)

<sup>12</sup> [S. 474.214\(1\)\(y\), F.S.](#)

<sup>13</sup> [S. 474.214\(1\)\(l\), F.S.](#)

<sup>14</sup> [S. 474.214\(1\)\(z\), F.S.](#)

<sup>15</sup> [S. 474.214\(1\)\(ff\), F.S.](#)

<sup>16</sup> [S. 474.214\(1\)\(ii\), F.S.](#)

<sup>17</sup> [S. 474.214\(1\)\(mm\), F.S.](#)

<sup>18</sup> [S. 474.214\(1\)\(pp\), F.S.](#)

<sup>19</sup> American Veterinary Medical Association, *Pharmacy and prescription issues*, <https://www.avma.org/resources-tools/animal-health-and-welfare/animal-health/pharmacy> (last visited November 4, 2025).

<sup>20</sup> Pub. L. 91-513, tit. II, 84 Stat. 1242 (1970) (codified as amended at 21 U.S.C. §§ 801–904).

<sup>21</sup> 21 U.S.C., s. 802(21), defines “practitioner” as a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other person licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices or does research, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

<sup>22</sup> Ryan Haight Online Consumer Protection Act of 2008, Public Law 110-425 (H.R. 6353).

<sup>23</sup> 21 CFR s. 829, the in-person medical evaluation requires that the patient be in the physical presence of the provider without regard to the presence or conduct of other professionals.

The practitioner is still subject to the requirement that all controlled substance prescriptions be issued for a legitimate purpose by a practitioner acting in the usual course of professional practice. But, once an in-person evaluation of the patient has occurred, the practitioner may provide future prescriptions for controlled substances for that patient using telehealth services.<sup>24</sup>

Florida law prohibits a telehealth provider from using (human) telehealth services to prescribe a controlled substance except when treating a psychiatric disorder, an inpatient at a licensed hospital, a patient receiving hospice services, or a resident of a nursing home facility.<sup>25</sup>

## Federal Prescription Authority

In order to purchase, prescribe, administer or dispense controlled substances in Florida, veterinarians must obtain a registration from the Drug Enforcement Agency (DEA). According to the CSA, a veterinarian is considered a “practitioner,” and is authorized to “distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.”<sup>26</sup> Unless otherwise exempted, every practitioner who dispenses, which includes administering and prescribing, controlled substances in schedules II through V, must be registered with the DEA,<sup>27</sup> and must comply with applicable state and local laws.<sup>28</sup>

A practitioner’s registration must be renewed every three years.<sup>29</sup>

## Veterinary Telehealth

Florida allows veterinarians to prescribe certain medications under certain conditions via telehealth.<sup>30</sup> Telehealth based prescriptions are limited to timeframes of up to 1 month for flea and tick control drugs and 14 days for other animal drugs.<sup>31</sup> Veterinarians are prohibited from prescribing certain drugs and controlled substances unless the veterinarian has conducted an in-person physical examination, or made medically appropriate and timely visits to the premises where the animal is kept.

Veterinarians are prohibited from using telehealth to:

- Prescribe a controlled substance as defined in chapter 893, F.S., unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.<sup>32</sup>
  - Penalties for violations are punishable by the Board and include:<sup>33</sup>
    - Administrative fine from \$2,000 to \$5,000 and one to two years probation.
    - For a second or subsequent offense, two years probation up to one year suspension, and an administrative fine of \$4,000 to \$5,000.
- Prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C. ss. 3051 et seq.<sup>34</sup>
  - Penalties for violations are punishable by the Board and include:<sup>35</sup>

<sup>24</sup> *Id.*

<sup>25</sup> [S. 456.47\(2\)\(c\), F.S.](#)

<sup>26</sup> 21 U.S.C. s. 802(21).

<sup>27</sup> 21 U.S.C. s. 822(a)(2), and 21 CFR 1301.11(a).

<sup>28</sup> 21 U.S.C. s. 822(f).

<sup>29</sup> 21 CFR 1301.13(e)(1)(iv).

<sup>30</sup> [S. 474.2021, F.S.](#)

<sup>31</sup> [S. 474.2021\(4\)\(e\)1., F.S.](#)

<sup>32</sup> [S. 474.2021\(4\)\(e\) 3., F.S.](#)

<sup>33</sup> R. 61G18-30.001(rr), F.A.C.

<sup>34</sup> S. 474.2021(4)(e) 4, F.S.

<sup>35</sup> R. 61G18-30.001(ss), F.A.C.

- Reprimand and an administrative fine of \$2,000 to \$3,000.
- For a second or subsequent offense, two years probation up to two years suspension followed by two years probation and an administrative fine of \$4,000 to \$5,000.
- Issue an international or interstate travel certificate or a certificate of veterinary inspection.<sup>36</sup>
  - Penalties for violations are punishable by the Board and include:<sup>37</sup>
    - Up to one year suspension followed by one year probation and an administrative fine of \$3,000 up to revocation and a fine of \$5,000.
    - For a second or subsequent offense, three year suspension and an administrative fine of five thousand dollars up to revocation and a fine of five thousand dollars.

### Veterinary Medical Records

Individual medical records are required to be maintained on every patient by the veterinarian, except for clients owning or leasing 10 or more animals of the same species. The records must be kept for at least three years after date of last entry, and must contain all clinical information pertaining to the patient with sufficient information to justify the diagnosis or determination of health status and warrant any treatment recommended or administered.<sup>38</sup>

Medical records must be created as treatment is provided or within 24 hours from the time of treatment, include the date of each service performed, and contain the following information:<sup>39</sup>

- Name of owner or agent.
- Patient identification.
- Record of any vaccinations administered.
- Complaint or reason for provision of services.
- History.
- Physical examination to include, but not limited to patient weight, temperature, pulse, and respiration, or noted exceptions to the collection of said information.
- A telehealth provider must make notation that the examination was conducted by telehealth. If the telehealth provider is unable to obtain any of the required information, the record should state reason for deficiency.
- Any present illness or injury noted.
- Provisional diagnosis or health status determination.

Medical records must also contain the following information if the services are provided or occur during examination or treatment:<sup>40</sup>

- Clinical laboratory reports.
- Radiographs and their interpretation.
- Consultation.
- Treatment – medical, surgical.
- Hospitalization.
- Drugs prescribed, administered, or dispensed along with the route, strength, and dosage of the drug and time said drug was administered if not otherwise discernible from the record.
- Tissue examination report.
- Necropsy findings.

<sup>36</sup> [S. 474.2021\(4\)\(h\), F.S.](#)

<sup>37</sup> R. 61G18-30.001(tt), F.A.C.

<sup>38</sup> R. 61G18-18.002(1), F.A.C.

<sup>39</sup> R. 61G18-18.002(3), F.A.C.

<sup>40</sup> R. 61G18-18.002(4), F.A.C.

Veterinarians are required to maintain confidentiality of all patient records in their possession or control, and such records may not be disclosed without the consent of the client. Appropriate disclosure may be made without consent:<sup>41</sup>

- In any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice by the party seeking such records to the client or his/her legal representative.
- When required by the Board's rules.

Veterinarians are required, upon a written request, to furnish, in a timely manner without delays for legal reviews, a true and correct copy of the patient records to the client, or to anyone designated by the client. The veterinarian is not allowed to charge a fee for such records, except for the reasonable cost of duplication.<sup>42</sup>

Medical records may be maintained in an easily retrievable electronic data format.<sup>43</sup>

#### RECENT LEGISLATION:

| YEAR | BILL #/SUBJECT                                | HOUSE/SENATE<br>SPONSOR(S)      | OTHER INFORMATION           |
|------|---|---------------------------------|-----------------------------|
| 2024 | <a href="#">HB 849</a> - Veterinary Practices | Killebrew, Buchanan/<br>Bradley | Became law on July 1, 2024. |

#### OTHER RESOURCES:

[Florida Department of Business & Professional Regulation – VETERINARY MEDICINE](#)

### BILL HISTORY

| COMMITTEE REFERENCE   | ACTION  | DATE       | STAFF<br>DIRECTOR/<br>POLICY CHIEF | ANALYSIS<br>PREPARED BY |
|---|---|------------|------------------------------------|-------------------------|
| <a href="#">Industries &amp; Professional Activities Subcommittee</a> | 11 Y, 0 N, As CS                                | 11/18/2025 | Anstead                            | Thompson                |
| THE CHANGES ADOPTED BY THE COMMITTEE:                                 | Made a technical change correcting terminology. |            |                                    |                         |
| <a href="#">Commerce Committee</a>                                    |   |            | Hamon                              | Thompson                |

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>41</sup> R. 61G18-18.002(5), F.A.C.

<sup>42</sup> R. 61G18-18.002(6), F.A.C.

<sup>43</sup> R. 61G18-18.002(9), F.A.C.